

## Message Text

UNCLASSIFIED

PAGE 01 LONDON 02051 01 OF 02 041630Z

ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-02 INR-07 NSAE-00 SAL-01 CG-00 DLOS-06 OES-06 L-03

AF-08 ARA-10 EA-09 NEA-10 IO-13 OIC-02 TRSE-00 OMB-01

EPA-04 CEQ-01 INT-05 ERDA-07 /116 W

-----041739Z 059426 /47

R 041611Z FEB 77

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 0314

UNCLAS SECTION 01 OF 02 LONDON 02051

E.O. 11652: N/A

TAGS: PORG, EWWT, IMCO

SUBJECT: AD HOC WORKING GROUP TO STUDY PROPOSALS FOR  
AMENDING IMCO CONVENTION

1. SUMMARY. IMCO WORKING GROUP AGREED TO RECOMMEND TO ASSEMBLY MAJOR PORTION OF US-PROPOSED AMENDMENTS TO CONVENTION. DISCUSSION OF OTHER US PROPOSALS REVEALED BROAD CONSENSUS FAVORING US VIEWS, EVEN THOUGH NO FORMAL RECOMMENDATIONS MADE. RESOLUTION OF "IMPORTANT QUESTION" ISSUE ALSO IN LINE WITH US POLICY AIRMS AND PRESERVED UNIFORMITY OF MEMBERS' TREATY OBLIGATIONS. THERE WERE INDICATIONS, HOWEVER, THAT COMING ASSEMBLY SESSION MAY BE MORE DIFFICULT. END SUMMARY.

2. IMCO AD HOC WORKING GROUP TO STUDY PROPOSALS FOR AMENDING IMCO CONVENTION (JAN. 31-FEB. 4) BEGAN DELIBERATIONS BY CONSIDERING AMENDMENTS TO CONVENTION WHICH WOULD INSTITUTIONALIZE TECHNICAL COOPERATION COMMITTEE (TCC). US-PROPOSED LANGUAGE ON THIS SUBJECT ADOPTED WITH ONLY MINOR TEXTUAL CHANGES. MAIN DEBATE WHICH OCCURRED WAS BETWEEN US AND FRENCH PROPOSALS. RESTRICTIVE FRENCH POSITION FOUND LITTLE SUPPORT AND, BY AROUSING LDC'S, MAY HAVE HELPED TO SOLIDIFY SUPPORT FOR US PROPOSALS. AL-  
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PAGE 02 LONDON 02051 01 OF 02 041630Z

THOUGH US PROPOSALS LESS RESTRICTIVE THAN FRENCH, THEY ESTABLISH CAREFULLY CIRCUMSCRIBED ROLE FOR TCC AND MAKE CLEAR THAT FINANCING MUST COME FROM OUTSIDE IMCO.

3. HEATED DEBATE DID OCCUR OVER EGYPTIAN PROPOSAL TO INSERT PARAGRAPH IN ARTICLE 16 WHICH WOULD HAVE ASSEMBLY "PROMOTE" TECHNICAL COOPERATION. A US ATTEMPT TO SUBSTI-

TUTE LANGUAGE MORE CONSISTENT WITH ADMINISTRATIVE NATURE OF ARTICLE 16 WAS SUPPORTED BY SEVERAL WESTERN DELEGATIONS BUT RESULTED IN EMOTIONAL EGYPTIAN REACTION, WHICH RECEIVED SUPPORT FROM SOME LDC DELEGATES. ISSUE EVENTUALLY RESOLVED BY SWEDISH COMPROMISE FORMULATION WHICH COMBINED ELEMENTS OF US AND EGYPTIAN PROPOSALS.

4. IN DISCUSSION OF ARTICLE 2 (DESCRIBING IMCO'S FUNCTIONS AS "CONSULTATIVE AND ADVISORY"), ONLY FRANCE SUPPORTED RETENTION OF EXISTING LANGUAGE. US-PROPOSED SUBSTITUTE LANGUAGE (GIVING IMCO "LEADERSHIP" FUNCTION) GENERALLY WELL RECEIVED. HOWEVER, THREE-WAY DEBATE DEVELOPED BETWEEN DELEGATES WHO WISHED TO ELIMINATE ENVIRONMENTAL REFERENCE, OTHERS WHO WISHED TO BROADEN ENVIRONMENTAL REFERENCE, AND THIRD GROUP WHICH WANTED TO COMBINE US LANGUAGE WITH EXISTING LANGUAGE. IT EVENTUALLY BECAME CLEAR THAT ONLY SOLUTION ACCEPTABLE TO ALL WAS DELETION OF ARTICLE 2. THIS WAS FALL-BACK POSITION OF US DEL AND APPEARED TO BE THAT OF OTHER DELEGATIONS. ARTICLE 2 WAS DELETED.

5. JAPANESE PROPOSAL TO DELETE ALLEGEDLY DUPLICATIVE PORTION OF ARTICLE 40 WAS NOT ACCEPTED. THIS RESULT IN LINE WITH US POSITION THAT IMCO FINANCIAL OBLIGATIONS SHOULD BE CLEARLY STATED IN SECTION ON FINANCES.

6. HEATED DEBATE ON "IMPORTANT QUESTION" PROVISION OF ARTICLE 52 AVERTED BY PRESENTATION OF SECRETARY GENERAL, WHO OUTLINED PROBLEMS WHICH COULD RESULT IF ALL MEMBERS UNCLASSIFIED

UNCLASSIFIED

PAGE 03 LONDON 02051 01 OF 02 041630Z

NOT REQUIRED TO ACCEPT ALL OBLIGATIONS OF CONVENTION. SECRETARY GENERAL SUGGESTED THAT PROBLEM COULD BE SOLVED BY AMENDING ARTICLE 52 TO STATE SIMPLY THAT AMENDMENTS COME INTO FORCE FOR ALL MEMBERS 12 MONTHS AFTER ACCEPTANCE BY TWO-THIRDS OF MEMBERS. PROPOSAL HAD CATALYTIC EFFECT AND WAS ACCEPTED BY ALL DELEGATIONS. US DEL BELIEVED THAT SECRETARY GENERAL'S FORMULA ACHIEVED US AIM OF PRESERVING (AND EVEN STRENGTHENED) INTEGRITY OF IMCO.

7. REMAINDER OF SESSION DEVOTED LARGELY TO US PROPOSALS TO STRENGTHEN CONVENTION. US DEL PRESENTATION EMPHASIZED THAT US PURPOSE WAS TO MODERNIZE CONVENTION TO REFLECT CURRENT REALITY AND TO PUT IMCO IN POSITION TO TAKE ON FUNCTIONS WHICH MIGHT FLOW TO IT FROM LOS CONFERENCE. DISCUSSIONS WERE SIDETRACKED BY FRENCH PROTESTS THAT FRENCH TEXT OF US SUBMISSION HAD BEEN RECEIVED TOO LATE, BUT MOST DELEGATIONS INDICATED THEY WERE READY TO DISCUSS US PROPOSALS WHILE RECOGNIZING THAT WORKING GROUP COULD NOT MAKE FORMAL RECOMMENDATIONS.

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PAGE 01 LONDON 02051 02 OF 02 041624Z  
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-----041737Z 059359 /47

R 041611Z FEB 77  
FM AMEMBASSY LONDON  
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UNCLAS SECTION 02 OF 02 LONDON 02051

8. US PROPOSAL TO INSERT "FACILITATE" AND "ADMINISTRATIVE" IN ARTICLE 1(A) AROUSED NO OBJECTIONS. MOST DELEGATIONS AGREED THAT THESE CHANGES WOULD MAKE CONVENTION REFLECT CURRENT REALITY.

9. ENVIRONMENTAL REFERENCES PROPOSED BY US DEL OPPOSED BY CANADIAN DEL AS "PREMATURE," AND BY SOME OTHER DELEGATIONS FOR OTHER REASONS. OTHERWISE, THEY RECEIVED WIDESPREAD SUPPORT, AND DEBATE CENTERED ON WHETHER TO BROADEN THEM TO ENABLE IMCO TO DEAL WITH LAND-SOURCE AND SEABED-SOURCE POLLUTION. NO CONSENSUS DEVELOPED ON SO BROADENING IMCO'S ENVIRONMENTAL ROLE, HOWEVER.

10. IN COURSE OF DISCUSSIONS, NIGERIAN DELEGATE STATED THAT NIGERIA WOULD MAKE PROPOSALS TO 1977 IMCO ASSEMBLY TO: (A) ESTABLISH A VOLUNTARY IMCO TRUST FUND FOR LEAST DEVELOPED; (B) GIVE IMCO ARBITRATOR ROLE BETWEEN CONFERENCES AND SHIPPERS COUNCILS; AND (C) CREATE NEW CATEGORY OF COUNCIL MEMBERS WITHIN CATEGORY C MEMBERSHIP WHICH WOULD GIVE MORE PERMANENT COUNCIL REPRESENTATION TO LDC'S.

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PAGE 02 LONDON 02051 02 OF 02 041624Z

11. COMMENT: RESULTS OF WORKING GROUP CONSISTENT WITH  
US POLICY AIRMS. EVEN THOUGH PROCEDURAL OBSTACLES PRE-  
VENTED GROUP FROM MAKING FORMAL RECOMMENDATIONS ON SOME  
US PROPOSALS, DISCUSSIONS (WHICH REFLECTED IN WRITTEN  
REPORT OF MEETING) REVEALED BROAD SUPPORTING CONSENSUS.  
IF NIGERIAN PROPOSALS ARE INDICATION, HOWEVER, 1977  
ASSEMBLY SESSION IS LIKELY TO BE CONTENTIOUS AND DIFFI-  
CULT.

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